

III. REMARKS

Applicant mailed an "Amendment And Response To 'Final' Office Action" on 03/15/2005 in response to the Office Action mailed on 01/11/2005. That Amendment amended claims 1 and 18, but was Not Entered pursuant to an Advisory Action mailed on 03/28/2005.

This current Amendment is in further response to the Office Action mailed on 01/11/2005, in view of the Advisory Action. This current Amendment amends claims 9 and 18 accompanies a Request for Continued Examination.

Pursuant to RCE guidelines, Applicant understands that upon filing of the RCE, the previously not entered amendment will be entered prior to this current amendment. Therefore, Applicant understands that the examiner will review the RCE in view of amendments to claims 1 and 18 as previously presented and as well as the amendment to claims 9 and 18 herein.

Claim Rejection under 35 USC § 103

Claims 1, 5, 8, 18 and 19 were last rejected under 35 U.S.C. 103(a) as being unpatentable over Campbell (US 4,010,970) in view of Dooley, Jr. (US 6,039,370).

Allowed and Allowable Subject Matter

Claims 9, 12-17, 20 and 21 were allowed in the last Office Action. Claims 2, 3, 6, 7 and 9 were objected to, but would be allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims.

Claim Informality

Claim 9 was objected to in the last Office Action because the word "holder" was incorrectly included in line 13 in reference to "downwardly facing surface structure of the cup".

Response to Claim Rejections

Applicant again thanks the Examiner for indication of allowance and allowability of the above-noted claims.

Response to the rejection of claims 1 and 18 are addressed in Applicant's previous correspondence. Response to the objection to claim 9 was inadvertently overlooked in Applicant's previous correspondence, but has been addressed in the amendment to claim 9 above.

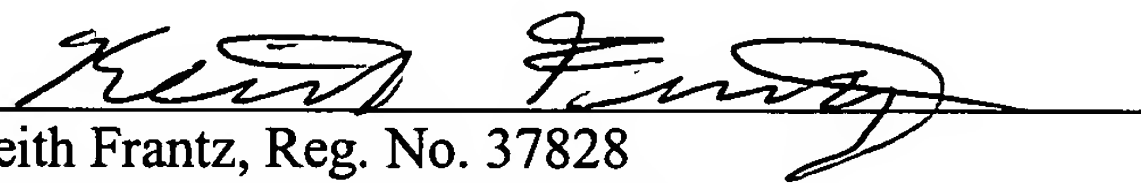
In further response to the last Office Action, and in view of the Advisory Action, claim 18 is further amended herein to specify the "cup holder extending integrally forwardly from the lower end of the extension member at an inside angle of less than 180 degrees therebetween..."

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Estay (US 5,492,220) is a urine specimen collection device specially configured for use by women (col. 4, lines 62-64). In contrast, the present invention is for collecting urine specimens from animals. Claim 1 as currently presented clarifies differences between Estay and the present invention by specifying, among other things, "the cup holder and extension member being connected with semi-rigid yet manually bendable material comprising a wire structure to enable manual repositioning of the extension member and the cup holder in relation to one another... ". Claim 18 as amended herein and noted above also clarifies the differences between Estay and the present invention. The claims as now presented are not disclosed in Estay, and in view of the disclosure and teaching of Estay, the claims as now presented are not obvious.

Therefore, Applicant believes that claims 1, 9, and 18, and those depending therefrom are in condition for allowance.

Respectfully submitted,


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